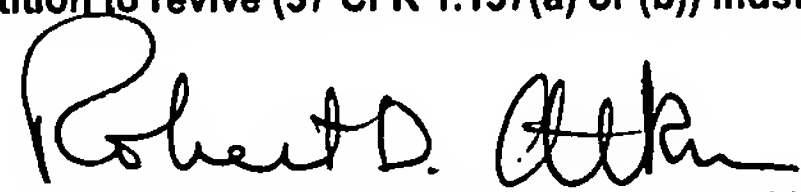


| | | |
|---|--|--|
| TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A SUBMISSION UNDER 35 U.S.C. 371 | | ATTORNEY'S DOCKET NUMBER 112624.00029 |
| | | U.S. APPLICATION NO. (If known, see 37 CFR 1.5) To be assigned 10/531159 |
| INTERNATIONAL APPLICATION NO. PCT/US2003/032887 | INTERNATIONAL FILING DATE 14 October 2003 | PRIORITY DATE CLAIMED 11 October 2002 |
| TITLE OF INVENTION MOLECULAR SIGNATURE AND ASSAY FOR FLUOROQUINOLINE RESISTANCE IN BACILLUS ANTHRACIS | | |
| APPLICANT(S) FOR DO/EO/US Paul S. Keim, Talima Pearson, Lance Price, and Joseph D. Busch | | |
| Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information: | | |
| <ol style="list-style-type: none">1. <input checked="" type="checkbox"/> This is a FIRST submission of items concerning a submission under 35 U.S.C. 371.2. <input type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a submission under 35 U.S.C. 371.3. <input checked="" type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.4. <input checked="" type="checkbox"/> The US has been elected (Article 31).5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2))<ol style="list-style-type: none">a. <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau).b. <input type="checkbox"/> has been communicated by the International Bureau.c. <input checked="" type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).<ol style="list-style-type: none">a. <input type="checkbox"/> is attached hereto.b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4).7. <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))<ol style="list-style-type: none">a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau).b. <input type="checkbox"/> have been communicated by the International Bureau.c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.d. <input checked="" type="checkbox"/> have not been made and will not be made.8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).10. <input type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)). | | |
| Items 11 to 20 below concern document(s) or information included: | | |
| <ol style="list-style-type: none">11. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.12. <input checked="" type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.13. <input checked="" type="checkbox"/> A preliminary amendment.14. <input checked="" type="checkbox"/> An Application Data Sheet under 37 CFR 1.76.15. <input type="checkbox"/> A substitute specification.16. <input checked="" type="checkbox"/> A power of attorney and/or change of address letter.17. <input checked="" type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821- 1.825.18. <input type="checkbox"/> A second copy of the published International Application under 35 U.S.C. 154(d)(4).19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).20. <input checked="" type="checkbox"/> Other items or information: Verification Statement and Return postcard. | | |

This collection of information is required by 37 CFR 1.414 and 1.491-1.492. The information is required to obtain or retain a benefit by the public, which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 15 minutes to complete, including gathering information, preparing, and submitting the completed form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

| | | | | | |
|--|--------------|---|---|--|--------------|
| U.S. APPLICATION NO. (if known, see 37 CFR 1.5) To be assigned 10/531159 | | INTERNATIONAL APPLICATION NO. PCT/US2003/032887 | | ATTORNEY'S DOCKET NUMBER 112624.00029 | |
| The following fees have been submitted | | | | CALCULATIONS | PTO USE ONLY |
| 21. <input checked="" type="checkbox"/> Basic national fee..... \$300 | | | | \$ 300.00 | |
| 22. <input checked="" type="checkbox"/> Examination fee If International preliminary examination report prepared by USPTO and all claims satisfy provisions of PCT Article 33(1)-(4)..... \$100 All other situations..... \$200 | | | | \$ 200.00 | |
| 23. <input checked="" type="checkbox"/> Search fee Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority..... \$100 International Search Report prepared and provided to the Office..... \$400 All other situations..... \$500 | | | | \$ 100.00 | |
| TOTAL OF 21, 22 and 23 = | | | | \$ 600.00 | |
| <input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof. | | | | | |
| Total Sheets | Extra Sheets | Number of each additional 50 or fraction thereof (round up to a whole number) | RATE | | |
| - 100 = | /50 = | | x \$250 | \$ 0.00 | |
| Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e)). | | | | \$ 0.00 | |
| CLAIMS | NUMBER FILED | NUMBER EXTRA | RATE | | |
| Total claims | 22 - 20 = | 2 | x \$ 50 | \$ 100.00 | |
| Independent claims | 3 - 3 = | 0 | x \$200 | \$ 0.00 | |
| MULTIPLE DEPENDENT CLAIM(S) (if applicable) | | | + \$360 | \$ 0.00 | |
| TOTAL OF ABOVE CALCULATIONS = | | | | \$ 700.00 | |
| <input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by 1/2. | | | | 350.00 | |
| SUBTOTAL = | | | | \$ 350.00 | |
| Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)). | | | | \$ 0.00 | |
| TOTAL NATIONAL FEE = | | | | \$ 350 | |
| Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property | | | | \$ 40.00 | |
| TOTAL FEES ENCLOSED = | | | | \$ 390.00 | |
| | | | | Amount to be refunded: | \$ |
| | | | | Amount to be charged: | \$ 390.00 |
| <p>a. <input type="checkbox"/> A check in the amount of \$ _____ to cover the above fees is enclosed.</p> <p>b. <input checked="" type="checkbox"/> Please charge my Deposit Account No. <u>17-0055</u> in the amount of \$ <u>390.00</u> to cover the above fees. A duplicate copy of this sheet is enclosed.</p> <p>c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>17-0055</u>. A duplicate copy of this sheet is enclosed.</p> <p>d. <input type="checkbox"/> Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</p> | | | | | |
| <p>NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.</p> | | | | | |
| <p>SEND ALL CORRESPONDENCE TO:</p> <p>Robert D. Atkins QUARLES & BRADY STREICH LANG LLP One Renaissance Square Two North Central Avenue Phoenix, AZ 85004</p> | | |  SIGNATURE Robert D. Atkins NAME 34,288 REGISTRATION NUMBER | | |

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Paul S. Keim *et al.*
Serial No. : To be assigned
Date of Filing : April 11, 2005
Title : *MOLECULAR SIGNATURE AND ASSAY FOR FLUOROQUINOLINE
RESISTANCE IN BACILLUS ANTHRACIS*
Art Unit : To be assigned
Examiner : To be assigned

VERIFICATION STATEMENT

MS: PCT RO/US

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313

Dear Sir:

The undersigned, an attorney registered to practice before the U.S. Patent and Trademark Office and representing the applicants in the above-identified patent application does hereby state and affirm that the content of the printed sequence listing and the content of the sequence listing attached hereto in computer readable form are one and the same.

Dated in Phoenix, Arizona, this 11 day of April 2005.

Respectfully submitted,
QUARLES & BRADY STREICH LANG, LLP

April 11, 2005

By: _____

Robert D. Atkins
Reg. No. 34,288
,

Attorney Docket No. 112624.00029

Address all correspondence to:

Robert D. Atkins
Quarles & Brady Streich Lang LLP
One Renaissance Square
Two North Central Avenue
Phoenix, AZ 85004
Telephone: 602-229-5311
Facsimile: 602-229-5690
Email: rda@quarles.com

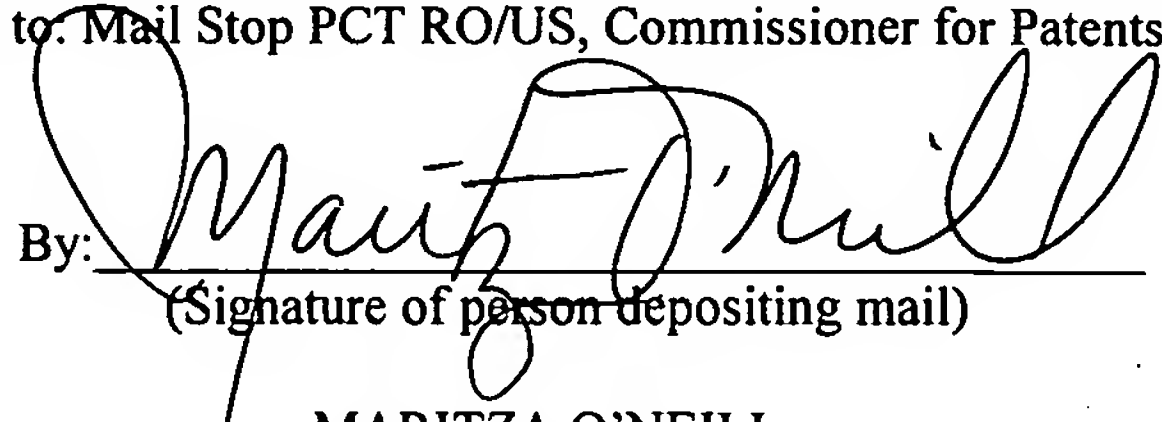
10/531159

JC12 Rec'd PCT/PTC 12 APR 2005

EXPRESS MAIL CERTIFICATE: EV667329735US

I hereby certify that this correspondence listed below is being deposited with the United States Postal Service on the date set forth below as Express Mail in an envelope addressed to: Mail Stop PCT RO/US, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Date of Signature
and Deposit: April 11, 2005

By: 
(Signature of person depositing mail)

MARITZA O'NEILL

CERTIFICATE OF MAILING PURSUANT TO 37 C.F.R. 1.10

Applicant : Paul S. Keim *et al.*
Serial No. : To be assigned
Date of Filing : April 11, 2005
Title : *MOLECULAR SIGNATURE AND ASSAY FOR FLUOROQUINOLINE
RESISTANCE IN BACILLUS ANTHRACIS*
Art Unit : To be assigned
Examiner : To be assigned
Docket No. : 112624.00029

Mail Stop: PCT RO/US

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Type of Filing:

- 1) Transmittal Letter to the United States Designated/Elected Office (DO/EO/US)
Concerning a Filing Under 35 U.S.C. 371 (2 pages) (in duplicate)
- 2) Preliminary Amendment (3 pages)
- 3) Application Data Sheet (3 pages)
- 4) Executed Declaration (4 pages)
- 5) Executed Power of Attorney (4)
- 6) Assignments (4), plus Recordation Form Cover Sheet
- 7) Verification Statement (1)
- 8) Paper copy of Sequence Listing (28 pages)
- 9) Diskette with copy of Sequence Listing
- 10) Return postcard